IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1085 OF 2005

WITH

CIVIL APPLICATION NO.764 OF 2005

Shamim Jalil Khan & Ors. ..Appellants.

Vs.

Sayed Sultan Alam & anr. ..Respondents.

...

Mr.H.S.Anand for the Appellants.

CORAM : DR.D.Y.CHANDRACHUD, J.

5th December, 2005.

P.C. :

The Learned Trial Judge is justified in coming to the conclusion that it is not possible to accept the case of the Appellants who seek to establish title on the basis of an affidavit. The Learned Trial Judge has noted that the First Appellant who entered into the premises as a son-in-law of the owner wants to grab the property

by evicting the sons and daughters of the owner of the suit premises. There is no merit in the Appeal, which is accordingly dismissed.

In view of the disposal of the Appeal from Order, the Civil Application is rendered infructuous and is accordingly disposed of.